

REMARKS/ARGUMENTS

It is assumed by applicant that the cited Wall et al patent is the one of record, i.e. No. 4,432,281.

In an effort to expedite the prosecution, applicant has explicitly recited in claim 19 that the locking projections 25 hold the information sheet 18 in a curved shape conforming to the curved cover 24 on an inside thereof when the transparent covert is detached from the top side of the actuating frame. The claimed arrangement has the advantage of the very simple assembly described in connection with Fig. 3, according to which the information sheet is placed on the inside of the transparent cover where the locking projections hold the conformingly curved information sheet firmly under tension when the cover with the information sheet is placed on the stamp and the locking projections are snapped into locking recesses in the edges of the receiving recess. This structure enables the locking projections to serve not only for affixing the cover with the information sheet to the stamp but also to hold the conformingly curved information sheet firmly in a correct position during assembly. The information sheet cannot fall out of the cover during assembly since it is held in position by the locking projections. This makes for a very simple, fast and secure assembly while assuring the accurate positioning of

the information sheet.

The grounds of rejection of claims 19, 20, 22, 24 and 25 under 35 U.S.C. 103(a) as being unpatentable over Shih, the primary reference, in view of Wall et al and the Melind patent is identical with that previously advanced, and is respectfully traversed.

As previously stated, applicant respectfully submits that the combination of the references is based on the hindsight gained from applicant's teaching, and that a person of ordinary skill in the art would not have found it obvious to implant Wall et al's self-inking mechanism into the Shih hand stamp "at the time the present invention was made" (Sec. 103). Section 103 has been uniformly held to require "a showing of a suggestion, teaching or motivation to combine the prior art references (as) an essential component of an obviousness holding," quoted in a long line of decisions in **In re Lee**, 61 USPQ2d 1430, at 1433.

Concerning **McLaughlin** quoted by the Examiner, it explicitly states that the combination may "not include knowledge gleaned only from applicant's disclosure." As the following comments show, the combination of the references made by the Examiner is respectfully submitted to include this

knowledge since nothing can be found in any one of the three cited patents to suggest this combination.

The Shih stamp has an ink reservoir 60, which can be re-filled, and the patent is concerned with the specific structure for the up-and-down movement of the stamp block. There is no obvious manner of modifying this structure by the self-inking mechanism of Wall et al, which moves by a turn-about motion from an inking position into a stamping position. In other words, The Shih and Wall et al stamps are fundamentally different types and, at the time the present invention was made, no person of ordinary skill in this art would have found "a suggestion, teaching or motivation" for lifting features of one patent to use in the other. This is even truer for the simple hand stamp of Melind, which has no inking provision at all.

However, even if the combination of the three patents were valid under Sec. 103, neither Shih nor Melind suggest the claimed configuration of information sheet and cover. As the Examiner has conceded, Shih does not teach feature (c)(3) of claim 19 and Melind does not suggest feature (d)(1). Melind's primitive stamp uses a mounting block 1, 15', "conveniently formed of wood" (page 1, lines 75/6). Such a **solid** handle could not be used in the type of self-inking stamp disclosed

and claimed herein. Most importantly, inwardly extending elongated locking projections (flanges) 11' are **inserted into** grooves 4', as clearly shown in Fig. 8 (as also seen in the embodiment of Fig. 1). They do **not snap** into these locking recesses.

The inwardly projecting elongated flanges fit snugly into the grooves (page 2, line 46) of the wood handle, and the drawing clearly shows that the flanges must be inserted into the grooves, rather than being snapped into them. Furthermore, it is noted that flanges 11' in grooves 4' are relatively far away from the edges of recess 17 so that the grooves are **not** "locking recesses **in the edges** of the receiving recess," as claimed. In addition, cover 9' is said to resemble cover 9 (page 3, line 32), which means that the cover is not curved to conform to receiving recess 17 but must be elastically deformed when it is mounted on the stamp top. In other words, it is curved only during assembly and it is not a cover so shaped when it is detached.

As is clear from the Melind drawing, information sheet (insert) 8' must first be placed into recess 17 and is dimensioned to fit accurately thereinto, cover 9' must then be spread apart to enable the flanges 11' to be inserted into grooves 4' as the cover is placed over the top of mounting

block 15'. The flanges **cannot** form a means for holding insert 8 on the inside of the cover when the cover is detached. In fact, if the insert were placed on the inside of the cover, nothing would hold it in place and it would fall out because insert 8' must be dimensioned to fit into recess 17 and projections 11' are remote from the recess edges. The insert must first be placed in the recess before the cover is attached. As a matter of fact, even when assembled, information sheet 8' is held in recess 17 by cover 9', and flanges 11', which are remote from the recess edges, do **not** form means for holding the information sheet. Thus, Melind's mounting structure of the information sheet and cover differs fundamentally from that claimed by applicant.

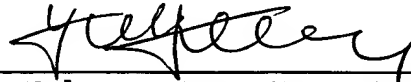
As to Shih's lugs 341 engaging slots 313, as Fig. 1 clearly shows, they do **not** extend inwardly and could **not** serve to hold an information sheet on an inside of cover 34.

While this seemed to be clearly implied in previously submitted claim 19, in view of the Examiner's comments in the Response to Arguments, the same has been amended to state explicitly that the locking projections are means for holding the information sheet on the inside of the cover when the cover is detached.

In view of the above, it is respectfully submitted that claim 19 is clearly patentable over the prior art held thereagainst, and the dependent claims 20, 22, 24 and 25 are believed to be allowable therewith. Favorable reconsideration and allowance of the claims are accordingly respectfully solicited.

Respectfully submitted,

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